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## TELEFAX TRANSMITTAL

**TO:** U.S. Patent & Trademark Office

**FIRM:** Examiner: Michele C. Flood Group Art Unit 1654

**RE:** Serial No.: 09/986,892, Filed: November 13, 2001

**FAX NO.:** 703-308-4242

**FROM:** Timothy J. Sinnott

**DATE:** December 5, 2003 PAGES: 4
(Including cover sheet)

File No.: 7043-15
Lawyer No.: 154

If transmission is interrupted or of poor quality, please notify us immediately by calling Sue Chaves at (519) 783-3210, ext. 3201

**COMMENTS:**

Further to our telephone conference earlier today, enclosed is a revised Terminal Disclaimer which lists the correct patent number on the first page.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|---|
| Applicant | : | S. Samuel DeAth, Joy DeAth |
| Appln. No. | : | 09/986,892 |
| Filed | : | November 13, 2001 |
| Title | : | ANTIMICROBIAL COMPOSITION FORMULATED WITH ESSENTIAL OILS |
| Group A.U. | : | 1654 |
| Examiner | : | FLOOD, Michele C. |
| Docket No. | : | 7043-15 |
| Date | : | October 24, 2003 |

Honourable Commissioner of Patents
Washington DC 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

Dear Sir:

The owner, Scentsible Life Products, a Division of Laid Back Designs Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of prior patent 6,346,281. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the abov disclaimer, th owner does not disclaim th t rminal part of any patent granted on the instant application that would ext nd to th xpiration

date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to th expiration of its full statutory term as presently shortened by an terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

☐ 1. For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

☐ 2. The undersigned is an attorney of record.

5 December, 2003
Date

Signature

Timothy J. Sinnott
(Reg'n No. 31,083)
Typed or printed name

☑ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

☐ PTO suggested wording for terminal disclaimer was

✓ unchanged

_____ changed (if changed, an explanation should be supplied)

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